

By: Burkett

H.B. No. 1857

A BILL TO BE ENTITLED

AN ACT

relating to the elimination of straight-party voting for county or precinct offices.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 52.071(b), Election Code, is amended to read as follows:

(b) The following instruction shall be added to the instruction required by Section 52.070(b): "You may cast a straight-party vote (that is, cast a vote for all the nominees of one party other than nominees for a county or precinct office) by placing an 'X' in the square beside the name of the party of your choice. If you cast a straight-party vote for all the nominees of one party and also cast a vote for an opponent of one of that party's nominees, your vote for the opponent will be counted as well as your vote for all the other nominees of the party other than nominees for a county or precinct office for which the straight-party vote was cast. A straight-party vote will not be counted for the nominee of a party for a county or precinct office."

SECTION 2. Subchapter D, Chapter 52, Election Code, is amended by adding Section 52.0921 to read as follows:

Sec. 52.0921. COUNTY AND PRECINCT OFFICES. (a)
Notwithstanding any other provision of this code, a straight-party vote does not count in an election for a county office listed in Section 52.092(e) or a precinct office listed in Section 52.092(f).

1 Candidates for county or precinct offices appear with their party
2 affiliation or independent status displayed next to the candidate's
3 name in a format prescribed by the secretary of state.

4 (b) The secretary of state shall prescribe procedures to
5 inform voters that a straight-party vote does not count in an
6 election for a county or precinct office. The procedures shall
7 include signs posted in the polling place and notice on the ballot
8 or through the voting system on which a vote is cast.

9 SECTION 3. Sections 65.007(b) and (c), Election Code, are
10 amended to read as follows:

11 (b) Except as provided by Subsection (c) or (d), each
12 straight-party vote shall be tallied for the party receiving the
13 vote instead of being tallied for the individual candidates of the
14 party. The total number of straight-party votes tallied for each
15 party shall be added to the total votes received for each of the
16 party nominees individually, subject to Section 52.0921.

17 (c) If a ballot indicates a straight-party vote and a vote
18 for an opponent of one or more of that party's nominees, a vote
19 shall be counted for the opponent and for each of the party's other
20 nominees, subject to Section 52.0921, whether or not any of those
21 nominees have received individual votes.

22 SECTION 4. This Act takes effect September 1, 2013.